



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Authorizing the City Manager and City Attorney to Execute Certifications and Assurances for Required Federal Transit Administration Documents

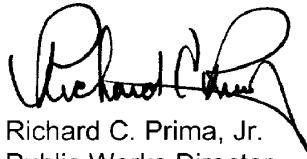
MEETING DATE: September 5, 2001

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution authorizing the City Manager, H. Dixon Flynn, to Certify and Assure as the Designated Official (CAD), and authorizing the City Attorney, Randall A. Hays, to provide Legal Certification (CAL) to the Federal Transit Administration (FTA).

BACKGROUND INFORMATION: In order to receive funds from the FTA, the City of Lodi must certify and assure that it will meet FTA requirements (copy attached). Each year that the City of Lodi has applied for these funds, the City Manager and the City Attorney have signed the "Certifications and Assurances". However, now that the applications are submitted electronically, the City Manager and the City Attorney need to certify and assure electronically.

FUNDING: None required.



Richard C. Prima, Jr.
Public Works Director

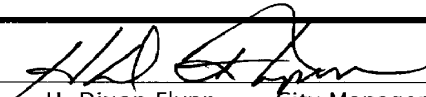
Prepared by Carlos Tobar, Transportation Manager

RCP/CT/lm

Attachment

cc: City Attorney

APPROVED: _____



H. Dixon Flynn -- City Manager

Federal Fiscal Year 2001 FTA Certifications and Assurances

Name of Applicant: City Of Lodi

Name and Relationship of Authorized Representative: H. Dixon Flynn, City Manager

BY SIGNING BELOW I, H. Dixon Flynn (name), on behalf of the Applicant, declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes, regulations, executive orders, and administrative guidance required for each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2001.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances in Appendix A, should apply, as required, to each project for which the Applicant seeks now, or may later, seek FTA assistance during Federal Fiscal Year 2001. The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA, and acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 et seq., as implemented by U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal fraud provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with the Urbanized Area Formula Program, 49 U.S.C. 5307, and may apply to any other certification, assurance, or submission made in connection with any other program administered by FTA. In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.


Signature: 
(Authorized Representative of Applicant)

Name: H. Dixon Flynn, City Manager

Date: 6-29-01

Affirmation of Applicant's Attorney for City of Lodi
(Name of Applicant)

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under state and local law to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant. I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature: 
(Applicant's Attorney)

Name: Randall A. Hays

Date: 6-29-01

Each Applicant for FTA financial assistance (except 49 U.S.C. 5312(b) assistance) and each FTA Grantee with an active capital or formula project must provide an Attorney's affirmation of the Applicant's legal capacity. The Applicant may enter its PIN in lieu of the electronic signature of its Attorney, provided the Applicant has on file this Affirmation of its Attorney in writing dated this Federal fiscal year.

APPENDIX A

Federal Fiscal Year 2001 FTA Certifications and Assurances

Name of Applicant: City Of Lodi

The Applicant Agrees to Comply with the Applicable Requirements of the Following Categories It Has Selected:

- | | | |
|-----|---|--|
| 1. | Certifications and Assurances Required of Each Applicant | <u><input checked="" type="checkbox"/></u> |
| 2. | Lobbying Certification | <u><input checked="" type="checkbox"/></u> |
| 3. | Certification Pertaining to Effects on Private Mass Transportation Companies | <u><input checked="" type="checkbox"/></u> |
| 4. | Public Hearing Certification for a Project with Substantial Impacts | <u><input checked="" type="checkbox"/></u> |
| 5. | Certification for the Purchase of Rolling Stock | <u><input checked="" type="checkbox"/></u> |
| 6. | Bus Testing Certification | <u><input checked="" type="checkbox"/></u> |
| 7. | Charter Service Agreement | <u><input checked="" type="checkbox"/></u> |
| 8. | School Transportation Agreement | <u><input checked="" type="checkbox"/></u> |
| 9. | Certification for Demand Responsive [Page 4968] Service | <u><input checked="" type="checkbox"/></u> |
| 10. | Substance Abuse Certifications | <u><input checked="" type="checkbox"/></u> |
| 11. | Certification Required for Interest and Other Financing Costs | <u>N/A</u> |
| 12. | Certifications and Assurances for the Urbanized Area Formula Program, the Job Access and Reverse Commute Program, and the Clean Fuels Formula Program | <u>N/A</u> |
| 13. | Certifications and Assurances for the Elderly and Persons with Disabilities Program | <u>N/A</u> |
| 14. | Certifications and Assurances for the Nonurbanized Area Formula Program | <u>N/A</u> |
| 15. | Certifications and Assurances for the State Infrastructure Bank (SIB) Program | <u>N/A</u> |

(Both sides of this Signature Page must be appropriately completed and signed where indicated.) Federal Fiscal Year 2001 FTA Certifications and Assurances (Required of all Applicants for FTA assistance and all FTA Grantees with an active capital or formula project).

RESOLUTION NO. 2001-208

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING
THE CITY MANAGER, H. DIXON FLYNN, TO CERTIFY AND
ASSURE AS THE DESIGNATED OFFICIAL (CAD), AND
FURTHER AUTHORIZING THE CITY ATTORNEY, RANDALL A.
HAYS, TO PROVIDE LEGAL CERTIFICATION (CAL) TO THE
FEDERAL TRANSIT ADMINISTRATION

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NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council does hereby
authorize the City Manager, H. Dixon Flynn, to Certify and Assure as the Designated
Official (CAD) on behalf of the City of Lodi that it will meet Federal Transit Administration
requirements; and

BE IT FURTHER RESOLVED, that the City Attorney, Randall A Hays, is hereby
authorized to provide Legal Certification (CAL) on behalf of the City of Lodi to the
Federal Transit Administration.

Dated: September 5, 2001

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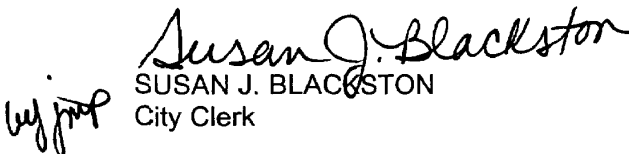
I hereby certify that Resolution No. 2001-208 was passed and adopted by the
Lodi City Council in a regular meeting held September 5, 2001 by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Pennino and
Mayor Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk